



**ARIZONA STATE SENATE**  
*Fifty-Second Legislature, Second Regular Session*

FACT SHEET FOR S.B. 1250

intergovernmental public transportation authority; taxation

Purpose

Establishes the procedure for an intergovernmental public transportation authority (IPTA) to levy a transportation excise tax if approved by qualified electors in a countywide election.

Background

Current statute authorizes a county with a population between 400,000 and 1.2 million persons to establish a regional transportation authority (RTA). A RTA is a public improvement and taxing subdivision of the state and a municipal corporation. The membership of the RTA includes the county, each municipality in the county and any other members of the regional council of governments (A.R.S. Title 48, Chapter 30).

Voters in Arizona counties may choose to authorize the levy of excise taxes for transportation purposes. The tax may not exceed a rate greater than 10 percent of the state transaction privilege tax rate (currently set at 5 percent, with an extra .06 percent dedicated toward education). Counties with populations of 400,000 or fewer persons may levy a countywide transportation excise tax for roads which are deposited into the county's public transportation authority fund, the regional transportation fund or both. Counties with populations between 400,000 and 1.2 million persons may levy a countywide transportation excise tax which is deposited into the regional transportation fund (A.R.S. Title 28, Chapter 17).

For a county with a population of 200,000 or fewer, current statute allows the board of supervisors to establish an IPTA. The governing body of one or more incorporated cities or towns may petition the county board of supervisors to establish an authority consisting of the area within the incorporated boundary of the municipality or municipalities. An IPTA is responsible for the operation and maintenance of its geographic service area's public transportation system (A.R.S. §§ 28-9103 and 28-9124). Monies for an IPTA are derived from: 1) monies appropriated or paid to the authority from municipalities, member universities and the county; 2) monies received by the authority from the federal government or this state; 3) grants, gifts and other donations from any source; 4) revenues collected by the authority as fares and other proceeds from operating the public transportation system; and 5) monies received from the county transportation excise tax.

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Allows an IPTA to levy a county transportation excise tax if approved by a majority of the qualified electors voting in a county-wide election.
2. Modifies IPTA formation structure to allow a county's Board of Supervisors (BOS) to organize an IPTA with boundaries coterminous with the boundaries of the county.
3. Specifies that an IPTA is a political, tax-levying public improvement and taxing subdivision of the state.
4. Directs the Department of Revenue to collect and deposit monthly into the IPTA Fund tax monies derived from a county transportation excise tax.
5. Allows an IPTA's Board of Directors to approve a request to the county BOS for an election regarding the levy of a county transportation excise tax for an IPTA's boundaries coterminous with county boundaries.
6. Allows the Board of Directors of an IPTA coterminous with county boundaries to request by resolution to the county BOS a countywide election on the issue of levying a county transportation excise tax.
7. Requires the county BOS to call a special election or place on the ballot of a general election within six months of the resolution.
8. Requires the county BOS to prepare and print a publicity pamphlet regarding the proposed countywide transportation excise tax and requires the pamphlet to contain:
  - a) the date of the election;
  - b) the location of the individual's polling place and time the polls will be open;
  - c) a summary of the issue presented;
  - d) the form of the ballot; and
  - e) arguments for or against the ballot measure.
9. Allows a person to file an affirmative or negative argument regarding the ballot measure with the county election officer no later than 90 days before the election and establishes requirements for the argument.
10. Specifies the information to be printed on the official ballot.
11. Requires the county election officer to account for costs incurred for the ballot measure.
12. Removes the requirement for the IPTA Board of Directors to transmit an annual report to the Arizona state library, archives and public records.
13. Makes technical and conforming changes.

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14. Becomes effective on the general effective date.

Prepared by Senate Research

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